Report
on
Indian Affairs
1830.

REPORT FROM THE SUPERINTENDENT OF INDIAN AFFAIRS.

DEPARTMENT OF WAR,

OFFICE INDIAN AFFAIRS, *Nov.* 26, 1830.

SIR: In compliance, in part, with the order of the Department of the 7th August last, I had the honor, on the 22d ultimo, to submit an estimate, in detail, for the current expenses of the Indian Department in the year 1831, amounting to $160,690.

In further compliance with said order, I now have the honor to submit the statements herewith, marked A and B.

Statement A exhibits the amount remitted for disbursement under each head of appropriation, in the Indian Department, during the three first quarters of the year 1830; the amount for which accounts have been rendered under each head, for the same period; and the balances remaining to be accounted for, according to the books of this office. It will be seen that the whole amount remitted for disbursement within the period mentioned is $528,734 18; that the whole amount for which accounts have been rendered, is $401,342 09; and that the amount remaining to be accounted for, is $127,392 09. It will be seen, also, that, of the balances remaining to be accounted for, those alone, under the heads of pay of superintendents and agents, sub-agents, interpreters, and blacksmiths, and annuities, when added together, amount to the sum of $62,914 31; and which, if deducted from the aggregate balance, to wit: $127,392 09, will leave but $64,477 78 to be accounted for under all the other heads. A considerable portion of the disbursements for annuities, as well as for other objects, are made by agents stationed at remote posts, and often, owing to the Indians prolonging their absence from their villages on their hunting excursions, at so late a period of the year, that sufficient time has not elapsed for their returns for the 3d quarter to reach the Department. When these are received, the balance, if not wholly accounted for, will be reduced to a very small sum, especially when compared with the whole amount remitted, or with that of the security held by the Government of the officers through whom the disbursements are made.

Statement B exhibits the number of schools in the Indian country, where established, by whom, the number of teachers, the number of scholars, and the amount now allowed a year to each school from the annual appropriation of $10,000 for the civilization of the Indians. This statement shows an increase in the number of scholars over that embraced in the report from this office for the last year, of 242.

The amount remitted in the three first quarters of the present year, from the appropriation for the civilization of the Indians, for school allowances, is $6,693, as will be seen by reference to statement A. The amount of these allowances to the several schools, as arranged to take effect from the 1st July last, and exhibited by statement B, is $6,650; which, deducted from the annual appropriation of $10,000 applicable to this year, will leave a balance, (without taking into view any balance that may remain of former years,) on the 1st of January next, of $3,350, to be added to the annual appropriation

that will then be applicable to 1831, (making, together, $13,350,) and disposed of, during that year, as the Secretary of War may deem it expedient to direct.

It is believed that the disbursements in the Indian Department for the years 1829 and 1830 have been confined strictly within the appropriations applicable to them, and that no arrearages have or will accrue on account of disbursements made in either of those years. But the arrearages which it was ascertained (and so stated in the report from this office for the last year,) had accrued to a considerable amount in the Indian Department prior to the year 1829, are still pressing on the Department, and it yet remains without any means to meet them. Impressed with the importance of some adequate provision being made for these arrearages, I have made this reference to them here, under a hope that the attention of Congress might again be called, at the ensuing session, to the documents submitted to them on the subject at the last, and an act be passed making such appropriation as, from the circumstances of the case, may appear to be proper.

There are some other documents and estimates, which were submitted at the last session of Congress, for appropriations to carry into effect sundry treaty stipulations for annuities and other objects, for the year 1830; but which, as no appropriations were made, it will be necessary to submit again at the ensuing session, to obtain appropriations both for the year 1830 and 1831. They will, accordingly, be prepared and reported in time to be submitted at an early day in the session.

Our relations with the Indians continue on a friendly footing. Nothing has happened to interrupt them during the year, except it be the acts of hostility which have occasionally been committed against each other by certain tribes bordering on the Mississippi, and which, it was apprehended at one time, were about to assume a character that would seriously disturb the peace of our citizens along that frontier: but, by the timely interference of the Government, peace has been made between the Indians, and our citizens thereby secured, for the present, at least, from the disturbances with which they were threatened by their wars.

The treaties concluded at the conferences ordered to be held by General Clark and Colonel Morgan, with the Indians, for this and other purposes, at Prairie du Chien, have lately been forwarded by General Clark, and are filed in this office. These treaties, with those recently concluded with the Chickasaw and Choctaw nations, under the directions of the President of the United States, towards the execution of the act passed at the last session of Congress, "to provide for an exchange of lands with the Indians residing in any of the States or Territories, and for their removal west of the Mississippi," are all the treaties that have been made with the Indians since the last session of Congress. They are ready to be laid before the Department when required.

The Commissioners (Gen. E. Root, and James McCall and J. T. Mason, Esquires) appointed in pursuance of a provision contained in the 2d article of the treaty concluded at the Butte des Morts, the 11th of August, 1827, to adjust the difficulty between the Menomonee, and Winnebago, and New York Indians, in relation to the boundaries of their lands in the vicinity of Green bay, have been engaged on that duty, and recently made a report, submitting a proposition for the adjustment of the case, which is subject to the approval of the President of the United States.

By the resolution of the Senate, passed at last session of Congress, conditionally ratifying the supplementary article, concluded the 24th September, 1829, to the treaty with the Delaware Indians of the 3d of October, 1818, certain lines, specified in said resolution, were required to be run and marked. Mr. McCoy, who was employed to make the survey, has been engaged on it, but had not, at the date of the last reports from him, completed it.

The lines of the cessions made by the treaties concluded at Prairie du Chien, with the Chippewa, Ottowa, and Pottawatamie, and Winnebago Indians, on the 29th July and 1st August, 1829, and which were ratified during the last session of Congress, have been run by Mr. Lyon, the surveyor employed for that purpose; and his report, with the field notes and map of the survey, are filed in this office.

A report has also been received from Messrs. J. S. Simonson and Charles Noble, the agents appointed to value the buildings and other improvements belonging to the Carey missionary establishment on the St. Joseph, in Michigan Territory, under a provision made for this purpose by the treaty with the Pottawatamie Indians, of 20th September, 1828. It remains for the report of the agents to be submitted to Congress to obtain the necessary appropriation to pay for the improvements, as stipulated by the 5th article of the treaty just mentioned.

A few remarks in reference to the existing laws relating to Indian affairs, with a view to some change or modification of the provisions of the same, will close this report.

The first act providing for Indian annuities, and which is still in force, was passed in 1796. Other acts for the same object have been since passed, from time to time, as they were required by new treaties, which are limited or permanent, according to the treaty stipulations for which they are intended to provide. A part of the provisions of some of them, though not directly repealed, has been superseded by treaties or acts of more recent date; hence it is difficult (except for persons who are familiar with these changes) to distinguish the provisions that are still in force from those that are not. There are now twenty-one acts under which Indian annuities are drawn, and they require as many accounts to be opened and kept on the books of the Treasury. If the same system be continued, every new treaty that stipulates for an annuity will necessarily increase the number of acts for that object, and, of course, the number of accounts. I, therefore, respectfully submit, whether it be not desirable to change the system, and adopt one which is more simple, and will require less time and labor to execute it. This, I humbly apprehend, may be attained by repealing all the existing acts of appropriation for annuities, and embodying the whole in one act, to be passed annually, on a statement to be laid before Congress at the commencement of every session, showing the annuities due, and to be provided for, in the ensuing year. This would keep Congress annually informed of the state of the Indian annuities, and the actual amount required from year to year to pay them. The appropriation might be made in one sum, equal to the whole amount of annuities due for the year to be provided for, or for the specific sums due, for such year, to each nation or tribe. In either case, it would never require more than one account to be opened on the books of the Treasury. With these remarks, I respectfully submit the accompanying statement of all the annuities that will be due and payable in the year 1831, (marked C,) that, if the object (which is explained by the foregoing remarks)

be approved, the same may be submitted to Congress, to be acted upon as may be esteemed proper.

The act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, passed in 1802, is the principal one that governs all our relations with the Indian tribes. Since this act was passed, many treaties have been concluded, which, with other causes, growing out of the increase of our population, and the consequent extension of our settlements, have contributed to produce changes in our Indian relations, which, it would seem, required corresponding changes in the laws governing them. It is believed that the line defined by the act of 1802 as the Indian boundary, and to which its provisions were intended particularly to apply, has long since ceased to be so. It is, therefore, respectfully submitted whether the public interest does not, also, require such a modification of the act of 1802 as would better adapt its provisions to the present state of our Indian relations. A judicious modification of this act, and others connected with it, (embracing some specific provision for the adjustment of the claims for depredations, &c., which are provided for by the 4th and 14th sections) would, no doubt, greatly facilitate and open the way for other improvements in the administration of the affairs of the Indian Department, of which the claims for depredations just mentioned form no unimportant or inconsiderable part. It may not be improper to add, that, should the foregoing propositions in regard to the laws relating to Indian affairs be deemed worthy of consideration, much useful and more detailed information may be obtained from the report which was made on this subject by Governor Cass and General Clark, and laid before Congress the session before last; for which, see State Papers, 2d session 20th Congress, vol. 3, Doc. No. 117.

All which is respectfully submitted.

SAM'L S. HAMILTON.

To the Hon. JOHN H. EATON,
Secretary of War.

A.

STATEMENT showing the amount of requisitions drawn in the Indian Department between the first of January and thirtieth of September, 1830; the amount of accounts rendered for settlement; and the balance to be accounted for.

HEADS OF APPROPRIATION.	Amount of requisitions.	Amount of accounts rendered.	Balance.
For carrying into effect the Creek treaty, per act 22d May, 1826	$ 23,390 32	$ 23,390 32	
For expense attending Indian agency established under the late treaty with the Creeks, &c., act 9th May, 1828	4,500 00	- -	$ 4,500 00
For aiding the emigration of the Creek Indians	25,162 44	4,262 44	20,900 00
For extinguishing the title to Peter Lynch's reservation	3,000 00	3,000 00	
For carrying into effect the Cherokee treaty of 6th May, 1828	35,743 38	34,633 13	1,110 25
For the purchase of reservations yet claimed by Indians in North Carolina	19,879 00	19,879 00	
For extinguishing titles to Delaware reservations in Ohio	2,800 00	- -	2,800 00
For carrying into effect certain Indian treaties, act 2d March, 1829	1,534 75	399 00	1,135 75
For pay of Superintendent of Indian affairs, and Indian agents	20,450 00	16,179 16	4,270 84
For sub-agents	15,400 00	10,129 84	5,270 16
For presents to Indians	14,432 12	8,537 42	5,894 70
For interpreters and translators	16,217 50	10,726 33	5,491 17
For gun and blacksmiths, and their assistants	14,000 00	8,161 04	5,838 96
For iron, steel, coal, &c.	5,301 00	2,134 15	3,166 85
For transportation and distribution of annuities	9,696 50	4,199 66	5,496 84
For provisions for Indians at the distribution of annuities, &c.	11,527 50	6,669 75	4,857 75
For contingencies Indian Department	20,349 56	12,914 07	7,435 49
Indian annuities	199,345 00	157,301 82	42,043 18
For carrying into effect the treaty with the Winnebagoes	36,330 00	33,558 60	2,771 40
For payment of claims to sundry citizens of Arkansas	6,756 00	6,756 00	
For carrying into effect the treaty with Chippewas and others	5,843 74	4,718 74	1,125 00
For carrying into effect the treaty of Butte des Morts	11,350 85	11,350 85	
For payment of expenses incurred in holding certain treaties with Indian tribes in July and August, 1829	9,251 15	9,251 15	
For removal of the Indians west of the Mississippi	6,000 00	6,000 00	
For expenses of Indian visits to seat of Government	346 62	346 62	
Proceeds of 54 sections of land	3,433 75	150 00	3,283 75
Civilization of Indians	6,693 00	6,693 00	
	$ 528,734 18	$ 401,342 09	$ 127,392 09

RECAPITULATION.

Amount of accounts rendered	$ 401,342 09
Balance not accounted for	127,392 09
Amount of requisitions drawn	$ 528,734 18

DEPARTMENT OF WAR,

OFFICE INDIAN AFFAIRS, *Nov.* 25, 1830.

SAMUEL S. HAMILTON.

[Doc. No. 2.]

B.

STATEMENT showing the number of Indian Schools, where established, by whom, the number of Teachers, &c., the number of Pupils, and the amount allowed and paid to each by the Government, with remarks as to the prosperity, &c. of the Schools.

Number.	Name of site and station.	By whom established.	No. of Teachers	No. of Pupils.	Amount paid annually by the Government.
1	Spring Place, Cherokee nation, Alabama, -	United Brethren, - - -	5	10	250 00
2	Oochgeelogy, do - - -	do	3	14	
3	Brainerd, do E. Mississippi -	Am. Board Com. Foreign Missions	2	50	
4	Carmel, do do -	do do	1	30	
5	Creek Path, do do -	do do	1	31	
6	High Tower, do do -	do do	1	10	
7	Elliot, Choctaw nation, - - -	do do	7	48	
8	Dwight, Cherokees, W. Mississippi	do do	2	50	220 00
9	Newel, Choctaw nation, - - -	do do	-	15	
10	Mayhew, do - - -	do do	6	56	
11	Bethel, do - - -	do do	3	8	
12	Mushulatubbee's, do - - -	do do	1	13	
13	Juzan's, do - - -	do do	1	15	
14	Emmaus, do - - -	do do	3	26	
15	Yok-nee-ah-chuk-mah, do - - -	do do	4	30	
16	Hik-a-shobana, do - - -	do do	1	12	
17	Tuscarora, - - - New York -	do do	1	45	220 00
18	Seneca, near Buffalo, do -	do do	8	45	220 00
19	Union, Osages, Arkansas -	Am. Board Com. Foreign Missions	16	57	170 60
20	Monroe, Chickasaws, - - -	do do	4	20	
21	Ottawas, Miami of the Lakes, -	do do	21	10	120 00
22	Cataraugus, Senecas, New York	do do	9	40	220 00
23	Goshen, - - - - - -	do do	8	45	
24	Ai-ik-hun-nah, - - - - -	do do	3	24	
25	Williams's, - - - - - -	do do	2	4	
26	Tockshish, - - - - - -	do do	3	22	
27	Col. Folsom's, Choctaw nation, - - -	do do	1	12	
28	Cane creek, - - - - - -	do do	3	30	
29	Martyn, - - - - - -	do do	2	27	
30	Hebron, - - - - - -	do do	2	22	
31	Willstown, Cherokees, East Mississippi	do do	1	13	
32	Hawies, do do	do do	1	10	
33	Candy's creek, do do	do do	1	30	
34	Mulberry settlement, do West Mississippi	do do	1	30	
35	Michilimackinac, - - - - -	do do	3	157	350 00
36	Carey, Pottawatamies, St. Joseph's -	Baptist General Convention, - -	14	70	450 00
37	Thomas, Ottawas, Grand river -	do do	8	20	
38	Valley towns, Cherokees, East Mississippi	do do	5	50	600 00
39	Withington, Creek nation, - - -	do do	6	16	450 00
40	Oneida, - - - New York -	do do	5	28	300 00
41	Tonnawanda, - - - do -	do do	5	21	200 00
42	Wyandotts, - - - Upper Sandusky	Methodist Society, - - -	10	60	400 00
43	Asbury, - - - Creek nation -	do	9	22	150 00
45	Florissant, Hall. Chickasaws, - - -	Cumberland Missionary Board, -	4	20	300 00
46	Oneida Castle, - - Missouri -	Society of Jesuits, - - -	8	15	400 00
47	Pleasant Point, Quoddy Indians, New York -	Protestant Episcopal Church, N. York	3	30	300 00
48	Harmony, - - - Maine -	Society for propagating the Gospel, &c.	1	57	300 00
49	Castleton Academy, - - Missouri -	Am. Board Com. For. Missions, -	27	30	170 00
	Vermont -	- - - - -	-	1	100 00

ESTIMATE B—Continued.

Number.	Name of site and station.	By whom established.	No. of Teachers.	No. of Pupils.	Amount paid annually by the Government.
50	Baptist Institution, Hamilton,	New York -	-	7	$ 350 00
51	Kenyon College, - -	Ohio - -	-	1	100 00
52	Choctaw Academy, - -	Kentucky -	-	3	310 00
				1,512	6,650 00

REMARKS.

The annual reports of the schools, due on the 1st ultimo, have not all been received. This statement is, therefore, prepared in part from former reports. From the information received, the schools appear to be going on prosperously, the number of scholars increasing, and other evidences afforded of a desire for, and willingness to receive instruction, which are encouraging to those engaged in the good work to continue their efforts.

The number of children in the schools in the Indian country, and which receive aid from the civilization fund, is 1,512

Add the number of pupils at the Choctaw academy, Kentucky, all of whom are educated from funds set apart for that purpose by the Indians themselves, - - - - - - - - - 89

Making the whole number now receiving education, - - - - - - - - 1,601

Mr. Kingsbury, superintendent of schools in the Choctaw nation, reports, that, in addition to the scholars in the regular schools, 250 adults and young people have been taught to read their native language.

DEPARTMENT OF WAR,
OFFICE INDIAN AFFAIRS, *November 25*, 1830.
SAMUEL S. HAMILTON.

NOTE.—The numbers under the head of "Number of Teachers," in some cases embrace the whole mission family, including mechanics and laborers; the reports not designating the number of teachers, which varies from one to three, as circumstances may require.

C.

STATEMENT showing the whole amount of Indian Annuities now payable under treaty provisions; dates of the acts of appropriation; names of tribes to whom payable; the sums which are permanent, and those which are limited, and the terms of limitation.

Date of Act.	Names of Indian Tribes.	Annuity.	Perma-nent.	Limited	Term
1796, May 6	Wyandots	1000	1000		
	Shawanese	1000	1000		
	Delawares	1000	1000		
	Weas	500	500		
	Piankashaws	500	500		
	Kaskaskias	500	500		
	Ottowas	1000	1000		
	Chippewas	1000	1000		
	Pottawatamies	1000	1000		
	Eel Rivers	500	500		
1799, Feb. 25	Six Nations, New York	4500	4500		
	Creeks	1500	1500		
	Cherokees	6000	6000		
	Chickasaws	3000	3000		
1805, March 3	Sacs and Foxes	1000	1000		
1806, April 21	Wyandots, Munsees, Delawares, &c.	825	825		
	Weas	250	250		
	Cherokees	3000	3000		
	Eel Rivers	250	250		
1807, March 3	Piankashaws	300	300		
1808, Feb. 19	Wyandots	400	400		
	Ottowas	800	800		
	Chippewas	800	800		
	Pottawatamies, Huron	400	400		
	Choctaws	3000	3000		
1810, May 1	Delawares	500	500		
	Weas	400	400		
	Pottawatamies	500	500		
	Eel Rivers	350	350		
1811, March 3	Osages	1500	1500		
1816, April 26	Young King, Seneca chief	200	-	200	Life
1817, March 3	Choctaws	6000	-	6000	1836
1819, March 3	Wyandots	4500	4500		
	Shawanese	2000	2000		
	Shawanese and Senecas, Lewistown	1000	1000		
	Senecas, Lewistown	1000	1000		
	Delawares	4000	4000		
	Weas	1850	1850		

STATEMENT C—Continued.

Date of Act.	Names of Indian Tribes.	Annuity.	Permanent.	Limited.	Term
1819, March 3	Ottowas	2500	1500	1000	1832
	Pottawatamies	3800	2500	1300	1832
	Quapaws	1000	1000		
	Creeks	3000	3000		
	Chippewas	1000	-	1000	1832
	Chickasaws	20000	-	20000	1833
1820, May 15	Chippewas	1000	1000		
1822, May 7	Kaskaskias	500	500		
	Ottowas	2500	1000	1500	1831
	Choctaws	3000	3000		
	Pottawatamies	5000	-	5000	1841
	Same	1000	-	1000	1836
	Kickapoos of Illinois	2000	-	2000	1834
	Chippewas, pleasure of the President	2000	-	2000	
	Mushulatubbee, a chief	150	-	150	Life
1824, May 26	Florida Indians	7000	-	7000	1843
	Creeks	10000	-	10000	1834
1826, May 20	Sacs and Foxes	1000	-	1000	1834
	Quapaws	1000	-	1000	1835
	Ioways	500	-	500	1834
	Choctaws	12000	6000	6000	1840
	Robert Cole, a chief	150	-	150	Life
	Cherokees	1000	1000		
	Sacs, Foxes, and Ioways	3000	3000		
	Miamies	920	920		
	Delawares	100	100		
	Pottawatamies	140	140		
	Shawanese	60	60		
	Christian Indians	400	400		
1826, May 22	Creeks	20000	20000		
1827, March 2	Osages	7000	-	7000	1845
	Kanzas	3500	-	3500	1845
1828, May 24	Cherokees	2000	-	2000	1847
1829, March 2	Miamies	25000	25000		
	Same	1100	1100		
	Same, pleasure of Congress	2000	-	2000	
	Chippewas do	1000	-	1000	
	Pottawatamies	2000	-	2000	1847
	Same, pleasure of Congress	2000	-	2000	
	Same	1520	1520		
	Same	2000	2000		
	Same	1000	-	1000	1847
	Same	500	500		
	Same, pleasure of Congress	1000	-	1000	
	Same, for a chief	100	-	100	Life

STATEMENT C—Continued.

Date of Act.	Names of Indian Tribes.	Annuity.	Permanent.	Limited.	Term
1829, March 2	Pottawatamies - -	360	-	360	1837
1830, March 25	Winnebagoes - -	18,000	-	18,000	1859
	Same - -	300	-	300	1859
	Same - -	125	-	125	1859
	Same - -	3,000	-	3,000	1859
	Same - -	160	-	160	1859
	Same - -	535	-	535	1859
	Chippewas, Ottawas, &c.	16,000	16,000		
	Same - -	125	125		
	Same - -	1,000	1,000		
	Total	254,870	143,990	110,880	

RECAPITULATION.

Names of Tribes.	Permanent.	Limited.	Total.
Wyandots - -	5,900	. .	5,900
Wyandots, Munsees, Delawares, &c. - -	825	. .	825
Shawanese - -	3,060	. .	3,060
Shawanese and Senecas, of Lewistown - -	1,000	. .	1,000
Delawares - -	5,600	. .	5,600
Weas - -	3,000	. .	3,000
Piankashaws - -	800	. .	800
Kaskaskias - -	1,000	. .	1,000
Ottowas - -	4,300	2,500	6,800
Chippewas - -	2,800	4,000	6,800
Chippewas, Ottowas, and others	17,125	. .	17,125
Pottawatamies - -	8,160	13,760	21,920
Pottawatamies of Huron -	400	. .	400
Choctaws - -	12,000	12,300	24,300
Eel Rivers - -	1,100	. .	1,100
Six Nations, New York -	4,500	200	4,700
Creeks - -	24,500	10,000	34,500
Cherokees - -	10,000	2,000	12,000
Chickasaws - -	3,000	20,000	23,000
Sacs and Foxes - -	1,000	1,000	2,000

STATEMENT C—Continued.

Names of Tribes.	Permanent.	Limited.	Total.
Sacs, Foxes, and Ioways -	3,000	. .	3,000
Ioways - - -	. .	500	500
Osages - - -	1,500	7,000	8,500
Senecas of Lewistown -	1,000	. .	1,000
Quapaws - - -	1,000	1,000	2,000
Kickapoos of Illinois -	. .	2,000	2,000
Florida Indians - -	. .	7,000	7,000
Miamies - - -	27,020	2,000	29,020
Winnebagoes - -	. .	22,120	22,120
Kanzas - - -	. .	3,500	3,500
Christian Indians - -	400	. .	400
	143,990	110,880	254,870

TABLE.

Term.	Limited.
1831 - -	1,500
1832 - -	3,300
1833 - -	20,000
1834 - -	13,500
1835 - -	1,000
1836 - -	7,000
1837 - -	360
1840 - -	6,000
1841 - -	5,000
1843 - -	7,000
1845 - -	10,500

Term.	Limited.
1847 - -	5,000
1859 - -	22,120
Life - -	600
Pleasure of Congress	6,000
Pleasure of the President	2,000
	110,880
Permanent - -	143,990
Total	254,870

DEPARTMENT OF WAR.

Office Indian Affairs, Nov. 25, 1850.

SAM'L S. HAMILTON.

REPORT

OF

THE SECRETARY OF WAR.

WAR DEPARTMENT, 1*st December*, 1830.

To the PRESIDENT *of the United States:*

SIR: I have the honor to make known to you the operations of this Department during the present year, and to offer such suggestions as appear to me necessary to be presented. The Army, at the different positions it has occupied along our western and southern frontiers, has been engaged in preserving quiet in those quarters, and has fully succeeded. Fears were entertained of a serious rupture with some of our northwestern tribes of Indians; but the presence of a military force, and the exercise of a proper discretion on the part of those to whom the trust of reconciling them was confided, has had the effect to prevent it, and peace has been the consequence. Similar apprehensions have recently been entertained of the Indians who reside on our southwestern boundary, and precautionary steps have been taken to prevent any acts of hostility. The vigilance, intelligence, and discretion of our officers induce a belief that, by their exertions, these distant tribes can be retained at peace with each other. Occasional interruptions have arisen from marauding parties, who range through the forest, and, at points distant from our posts, commit depredations: these acts, in turn, produce retaliation. It is important to prohibit these aggressions, if possible, though no other plan can be suggested than what has already, heretofore, been presented; viz: an authority to employ a detachment of mounted troops. These, ranging through the country at irregular periods, would do much more towards preserving peace with our Indian tribes, and quiet along our borders, than could be effected through any augmentation of our posts.

I regret to say that desertions from the Army are not of less frequent occurrence than heretofore. The number, for the present year, will exceed one thousand. Various efforts have been made, and many theories suggested, to arrest an evil so injurious to the operations and character of an Army. None have succeeded! The benevolent intention of the act of Congress of last winter, which took from the offence the penalty of death, and in obedience to the spirit of which, all past offences of the kind were by you

directed to be forgiven, has had no restraining, no salutary effect. I am not an advocate for the severity of penalties. The hope of reward, more frequently than the fear of punishment, operates beneficially upon mankind. A resort to both might be serviceable. While penalties corresponding to the nature of the offence, might be imposed upon delinquents, the faithful and good soldier should be cheered by the expectation of reward. To this end, an authority to make some reasonable compensation to those who obtain an honorable discharge, should be granted. In conformity to this opinion, I would take occasion to suggest, that, while some adequate penalty be imposed for so gross a violation of duty as that of abandoning a service voluntarily assumed, it may also be provided that the soldier who serves faithfully, and is honorably discharged, shall receive, at the termination of his enlistment, one hundred and twenty dollars. Let him receive, instead of his present pay, four dollars per month, retaining the residue, payable at the end of service. The difference in expense thus created to the Government, for the five years of enlistment, would be but sixty dollars; which increase, it is hoped and believed, will be more than compensated for by a saving in the expenses which are incurred under the present system of restraining desertion. The amount retained should be forfeited, if, at any time, the soldier desert the service. It might operate as a strong incentive to good conduct, and would serve as a fund at the close of his engagement, by which to establish him in some advantageous pursuit. By the present mode, he retires from the Army, dependent and poor as he entered; and often, instead of returning for a time to his family, enters the Army contrary to his inclination, induced only by his poverty and wants. Dissatisfaction takes place, and desertion follows.

Repeated efforts have been made to arrest this growing evil; and they should be continued, so long as there is hope of a remedy. The loss to the service is not so material. The great fear is, that, in peace, the practice may become so frequent and familiar, as in war to lose that odium which should attach to so aggravated an offence.

Recently, by an order from the War Department, the whiskey part of the ration has been taken away, with a view to ascertain how far a theory frequently introduced might be practically productive of benefit. Time has not been afforded to test the experiment; but little confidence is reposed in the attempt. If the plan suggested of giving enlarged compensation to the non-commissioned officers—which every soldier may aspire to be—shall fail to produce a remedy, I know not what other can be attempted with any reasonable prospect of success. In peace, the soldier is not stimulated by that buoyancy, which in war induces him to aspire to promotion through gallantry and good conduct. To be a non-commissioned officer, is all that he can hope for or expect. To place this class of officers on a more advantageous and respectable footing, for the purpose of exciting a spirit of emulation amongst the soldiers, might prove highly serviceable. The subject, being one of importance, is at least worthy of consideration and experiment.

Connected with the Army is the Military Academy at West Point. The beneficial effects which have been produced to the country already, and the more enlarged ones which are in prospect, from this valuable institution, render it matter of importance that it should be maintained upon its

present liberal plan and principles. The educating of two hundred and fifty young gentlemen, selected from every State of the Union, cannot fail to carry with it general advantages and benefits correspondent to the demands it produces on the Treasury. But, apart from this, the education obtained there being of a military character, the benefits diffused through every section of our country cannot but prove highly salutary when it shall again be involved in war. The information which is acquired there is carried to the several States: these young men become officers of militia; and in time, through the means thus afforded, something approaching to uniformity in the discipline of our militia may be expected. The able report of the Board of Examiners at the last commencement, which accompanies this report, will present in detail the progress and advantages of the institution.

By the act of 1818, the President of the United States is authorized to confer upon the graduates of this academy the appointment of brevet lieutenants. Already there are 87 supernumerary officers thus created, who cannot now be provided for in the line of the Army. In June next there will probably be 33 more added, which will produce an excess of 14 over the number authorized. The law prohibits brevet appointments of a greater number than 106—one for each company; of course, upon a reasonable calculation, but few, if any, of the cadets, after June, 1831, will be entitled to a brevet commission. I would respectfully suggest whether some rule different from the present be not necessary to restrict for the future brevet lieutenant appointments, retaining only so many as might supply the probable vacancies which occur within the year. The number of promotions to the Army from this corps, for the last five years, has averaged about 22 annually; while the number of graduates for the same period has been at an average of 40. This excess, which is annually increasing, has placed 87 in waiting until vacancies shall take place, and shows that, in the next year probably, and in the succeeding one certainly, there will be an excess beyond what the existing law authorizes to be commissioned. There will then be 106 supernumerary brevet second lieutenants appurtenant to the Army, at an annual expense to the Government of $80,000.

In the Engineer Department, important operations, as regards the internal improvement of the country, have been in successful progress. The advantages to our commerce from the improvements which have been made in the navigation of the Mississippi and Ohio rivers, have already been sensibly felt; and great good to the community at large is to be anticipated from further efforts. The experiments begun, and in some respects completed, show, that, at an inconsiderable annual expense, the Ohio river may be cleared of its bars and shoals, so as to afford a convenient and safe navigation at those seasons of the year when heretofore it has been considered impracticable.

This subject well merits the attention of the Government. These rivers pass through an immense and fertile region of our country, the products of which contribute essentially to advance our commercial interest. An inconsiderable expenditure from the public Treasury will have the effect to give security to a commerce which at present is carried on at much hazard, and, by diminishing the insurance now required, and preventing losses, speedily reimburse to the community the cost which has been incurred, and the expense which may be required. At present the imports to the west

are mainly along these rivers, and the export trade almost entirely Usually for six months in the year, one of these (the Ohio) ceases to be useful, because of the numerous obstructions, and consequent hazards, which are presented at those times when the waters are materially reduced. The inconvenience and risk thus felt are susceptible of such easy remedy, and at so small an expense, that it becomes matter of surprise that improvements so important and valuable to a large community should have been so long overlooked or neglected. The necessity of improving the navigation of these rivers for commercial purposes, all admit; of the practicability of effecting it, none can doubt The experiment lately made, through a most difficult obstruction at a place called the Grand Chain, conclusively tests the feasibility of improving other places; and shows that the expense will be inconsiderable. As it regards this branch of the subject, however, it appears to me that the importance and value of the thing to be done, is of infinitely greater consequence than any apprehension of charge which it may occasion to the Treasury.

The breakwater situated at the mouth of the Delaware river is another valuable improvement, which, within the last year, has been rapidly progressing. The work has already risen above the water, and furnished evidence of its importance to our commerce. During the violent gale of last September, several vessels which lay under the protection of this work were preserved. The force of the sea being broken by its opposition, they were enabled to keep at their moorings, and to ride out the gale in safety. Fifteen other vessels in view, not possessing the advantages of this position, were driven on shore, and lost, or gotten off at much expense. A few years will complete this valuable work. The attention it has received since it was placed in charge of the Quartermaster's Department by your direction, and the advantages already derived from it, giveproof of the propriety of its completion, and of the numerous benefits it must afford to commerce. At this heretofore hazardous part of our coast navigation, a security will be afforded, which, in a few years, may occasion a saving of property which will amply compensate for the cost incurred in its construction.

The Ordnance Department is progressing as rapidly as the means afforded will permit, in arming the militia of the States, and in preparing the necessary guns and carriages for garnishing the different fortresses of the country. It is worthy of consideration whether the appropriation applicable to this service should not be increased, so as to provide a suitable armament by the time the different fortifications along the coast shall be completed. For the forts which are finished, a million of dollars will be necessary; but besides these, others are in progress, and will shortly be completed. With the annual appropriation of $100,000 towards this purpose, it will require ten years to accomplish the object for those which are in readiness. Should we be blessed with peace, no injury will arise; but should war take place, the effects upon our country would be of a serious and prejudicial character.

In all the disbursing branches connected with the War Department, I am happy to say that punctuality and fidelity have strictly, and almost without exception, been regarded during the year.

A new era in the history of this country has, within a few years, arisen in relation to Indian affairs. Under the act of 1802, and the practices of the Government resulting therefrom, principles have been introduced, the correctness of which deserves serious consideration. By this act it is pro-

hibited to any one to settle upon Indian lands, or to enter their territory; and, for its execution, the President is authorized and directed to employ the "military force" of the country.

It is worthy of reflection how far this act (as circumstances exist) is to be considered within the pale of the Constitution, and obligatory upon the authorities of the Government. Before the States were members of this Union, they were sovereign. The United States Government can legitimately exercise those rights only with which the States parted under their general compact. To regulate their internal municipal authority is a privilege which has not been surrendered. Amongst those rights is the indisputable one of controlling their citizens, and governing them after their own mode, with this exception, that a republican form of government is to be secured to each. The States, being independent and sovereign within their own limits, can admit no check upon their sovereignty, whether, in its exercise, it affects one citizen or another—the white or the red man. By courtesy, the laws have been withheld from an interference with the Indians within a State; and that which heretofore was mere courtesy is now insisted upon as matter of paramount constitutional right. Surely this cannot be correct according to our notions and system of government; and, if wrong, the act of 1802, from the moment the laws are extended by a State over Indian territory, must cease to be operative. Reciprocity is always fair and just; and hence the law which would make it penal for a white man to tread, unlicensed, upon soil held through Indian occupancy, should equally restrain the Indian from entering upon the domain of the white man. So far as existing treaties operate, the United States possess the power to concede this or any other privilege, because treaties, whether well or ill made, are the supreme law of the land; but they should be such as are permitted to be entered into by the Constitution, and which do not affect the rights of a State beyond what her consent in becoming a member of the Union has sanctioned and authorized. Every thing beyond this is usurpation.

Under the authority confided by you, during last summer, I visited some of the Indian tribes, with a highly valuable auxiliary, General John Coffee, of Alabama, and made known to them their situation. With the Choctaws and Chickasaws, (the only tribes with whom we negotiated,) treaties were concluded. From all appearances, they were well satisfied with their own decision, and the course which we pursued towards them. If any different feeling has since been incited, it is the work of persons who have sought, through the channels of their ignorance, to persuade them to the belief that great injustice has been practised. I undertake to assure you, that, in all we did, the utmost fairness and candor were practised. We sought through persuasion only, to satisfy them that their situation called loudly for serious reflection. Pending the negotiation, no secret meetings were had, no bribes were offered, nor promises made. Every argument adduced, or suggestion offered, was in open council, and in view of those whose rights were to be affected. Of this, abundant evidence exists, whatever may be said to the contrary. There was no motive to impose upon, or to deceive them. Our instructions forbade us to do so, and our inclination, besides, was an ample restraint. The treaties concluded are ready for submission; and how far any practised injustice or want of liberality can be imputed, will be fairly judged of when their tenor and condition shall be disclosed. If a liberality

ample and generous has not been regarded, our wishes have failed, and our judgments been mistaken.

During this period, I witnessed much of Indian character, their progress, refinement, and march towards civilization and can well say, that, in conducting the negotiation, every thing was done to retain them in those pursuits which should tend to their advancement, and to which their situation could reasonably lay claim. Those who so zealously have espoused their cause, and who affect seriously to deplore their condition, are acting upon false premises, or are moved by mistaken considerations of kindness. But, as mankind are found to differ even upon essential matters of faith, and their ultimate results, I can well imagine, that, in reference to such a subject as the present, honest differences of opinion may be expected, and will arise. Yet, before a desire be adopted, earnestly, to retain these people at their present homes, we should be careful not to receive mere impressions for facts, but rather to hear the suggestions of truth and reason. We should look to the red men as they are, and not as oftentimes they are represented to be; to their inaptitude to live under a well regulated system of law, and to the danger and hazard of the experiment. A few of them are well informed men, and capable of enjoying refined society. These are the mixed Indian—the half breed, as they are usually termed. Scarcely any of the others speak our language, or are acquainted with the principles of our Government. Little hope should be entertained, even by those most sanguine on the subject, that any material advances in civilization can be made with the present generation—those, I mean, who are now at maturity in life. Care and attention towards the rising generation may tend greatly to improve, and in time to meliorate, their present condition. To turn them to industry, is of first importance. Labor is never an acceptable pursuit to Indians. In their unimproved state, a fondness for war and the chase, and oratory at their councils, constitute their leading traits, because these afford the highest distinction. When, through the influence of culture and education, their taste upon these subjects shall be changed, and the character of an industrious agriculturist be held in higher estimation than dexterity of pursuit in the chase, then may they be expected to resort to industry, and give attention to the duties of agriculture. Indisposition to manual labor, so peculiarly the characteristic of an Indian, causes him to select the poorest grounds, because of the ease with which the timber is felled and cleared away. The exceptions which exist to this are principally amongst those of mixed Indian blood, whose habits have been improved, and whose minds have been cultivated.

There are three divisions in the Choctaw nation, each of which is governed by a chief, who, within his limits, acts independently of the others. In his government he is aided by minor and subordinate chiefs, called Captains, each of whom acts within his particular district. The people are subordinate to the captains—the captains to the chiefs. One of these divisions composes what is called the Christian District, the chief of which is a man of good mind, with a common English education, and is religious. His people, too, are seemingly pious. Each night, pending the negotiation, until a late hour, they were at their exercises, singing and preaching. From every information, this Christian party, as it is termed, are not accurately and correctly informed as to the principles and faith upon which they

profess to act. A future state of rewards and punishments, for virtues or for crimes, is fashioned by their standard of savage life, and its enjoyments; and, in their imagination, is made to conform to what they conceive to be essential to constitute happiness or misery here. Judging from their devotional conduct, they are, to all appearances, a religious people. Certainly there are some perceptible and beneficial changes amongst them. They have become mostly an agricultural people. The practice of perforating the nose and ears for the purpose of ornamenting them, is rapidly disappearing, and considered a rude custom. Vermillion paint, to ornament and to decorate the face, is, in a great measure, given up. A credulity in supernatural agency, in witches, and in witchcraft, is fast yielding; and the use of ardent spirits, particularly in one of the districts, is in a great measure abandoned A reasonable hope may be entertained, that these people may in time prove that the zeal and efforts of the Government to protect and civilize them, are not improperly bestowed.

In concluding a treaty with these people, candor and fairness were the only means resorted to by the Commissioners. They were given to understand distinctly, that, in coming to visit them at their solicitation, and at their homes, no design was entertained beyond communicating to them a knowledge of their true condition, and submitting to their judgment the course of policy by them to be pursued. We told them the opinion entertained by the Government as to the authority of Mississippi to extend over them her laws; and that the United States possessed not the power to prevent it. The interviews had with them were in open council, where were present the chiefs and warriors, and some of our own citizens. Arguments addressed to their judgments were the means employed. No threat was used; no intimidation attempted. Under these circumstances, a treaty was concluded and signed, more than 5,000 Indians being in attendance at the time. Amongst them was great apparent unanimity. Some did object and were dissatisfied, but not as it regarded the general policy of treating, but because they believed themselves entitled to obtain, and were solicitous to procure large reservations. The number thus influenced was small Since that time, active efforts have been made in the nation to induce dissatisfaction amongst the Indians, and to persuade them that they had been greatly deceived and imposed upon.

An old chief (Mushulatubbee,) who was favorable to the treaty, by a few of the discontented of his district, has been recently deposed, and the name of another sent to this office to receive recognition. The design is probably to show that the people are displeased because he signed the treaty. The answer returned to their application was, that, while the Government meant not to interfere with their mode or manner of self government, it could not recognize, what had been done by a few; yet, when a chief should be chosen by a majority of the division, and the fact so certified by their General Council, he would be regarded as properly chosen, and be considered as such. An examination of this treaty will clearly show, I think, that justice and liberality have been regarded. The great majority of the nation were satisfied when we left them; and, from information since received, yet continue to be satisfied. Their anxious desire is, to get to a country under the protection of the United States, where they can be free from any liability to State laws, and be able to dwell in peace under their own customs

The Commissioners appointed to further the execution of the treaty of Butte des Morts have discharged the trust confided to them, and have made their report. The misunderstanding between the New York and Green Bay Indians has been examined and adjusted; the Repor to be confirmed, only requires yourapproval, agreeably to the second article of that treaty.

Very respectfully,

JOHN H. EATON.